

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KBC BANK, N.V. and SANTANDER
BANK, N.A.,

Appellants,

v.

ORDER

CAPITOL LAKES, INC.,

16-cv-468-wmc

Appellee.

In light of *some* likelihood of success, coupled with the threat of irreparable harm to the appellants if the reorganization plan were to go into effect today, and the likelihood that a posted bond would address any harm to the appellee caused by a short stay, the court concludes that a short stay is appropriate conditioned on the posting of a bond in the amount of \$200,000 to defray lost opportunity costs should the stay prove unjustified. Accordingly,

IT IS ORDERED that:

- 1) Appellants KBC Bank, N.V. and Santander Bank, N.A.'s joint motion to stay pending appeal (dkt. #2) is GRANTED.
- 2) Appellants' motion to expedite hearing on motion to stay (dkt. #3) is GRANTED.
- 3) Implementation of the reorganization plan approved by the bankruptcy court is STAYED pending expedited review of appellants' appeal in this case and in No. 16-cv-266.

- 4) The entry of the stay is conditioned on appellants' posting of a bond in the amount of \$200,000 by Friday, July 15, 2016.

Entered this 12th day of July, 2016.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge